

**REMARKS**

In the Office Action, the Examiner rejected claims 1-15, 22, 24-26 and 28-29. While the Applicant does not necessarily agree with the Examiner's rejections, the independent claims are hereby amended to place the application in condition for allowance. By this paper, the Applicant canceled claims 23, 27 and 30 and amended claims 1, 6, 9, 12, 22, 25 and 28 for clarification of certain features and to include subject matter indicated as allowable by the Examiner. These amendments do not add any new matter. Upon entry of these amendments, claims 1-22, 24-26 and 28-30 remain pending in the present application and are believed to be in condition for allowance based on the Examiner's indication of allowable subject matter. In view of the foregoing amendments and the following remarks, the Applicant respectfully requests reconsideration and allowance of all pending claims.

**Claim Objections**

In the Office Action, the Examiner objected to claims 23, 27, and 30 as being dependent upon a rejected base claim, and indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As indicated above, the Applicant has canceled claims 23, 27 and 30 and incorporated the subject matter into their respective base claims (22, 25 and 28). As such, the objection to claims 23, 27 and 30 is moot and the Applicant respectfully requests the Examiner withdraw the objection.

**Claim Rejections under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1-15 under U.S.C. § 102(e) as being anticipated by MacLaren (U.S. Patent No. 6,108,741, hereafter “the MacLaren reference”) and rejected claims 22, 24-26, and 28-29 under 35 U.S.C. § 102(e) as being anticipated by Olarig (U.S. Patent No. 6,175,889, hereafter “the Olarig reference”). The Applicant respectfully traverses these rejections.

***Legal Precedent***

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under section 102, a single reference must teach each and every limitation of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Accordingly, the Applicant needs only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. The prior art reference also must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989).

***Claims rejected under the MacLaren reference***

In the Office Action, the Examiner specifically stated:

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by MacLaren (US 6108741).

Regarding claims 1, 6, 9, and 12 discloses temporarily storing a plurality of transaction entries (e.g., col. 28, lines 34-37), selecting one of the plurality of temporarily stored transaction entries and enqueueing the selected one of the plurality of temporarily stored transaction entries (e.g., col. 29, lines 64-66).

By this paper, the Applicant amended claims 1, 6, 9 and 12 to include elements of claims 23 and 30 which the examiner had indicated as allowable if rewritten in independent form. Specifically, as amended, claim 1 recites, *inter alia*, a method for storing transaction entries in a transaction order queue by prioritizing each of the plurality of temporarily stored transaction entries according to a bus standard, wherein prioritizing comprises the acts of:

- determining whether a posted write transaction entry is present;
- enqueueing the posted write transaction entry into the transaction order queue, if the posted write transaction entry is present;
- determining whether a read completion transaction entry is present, if the posted write transaction entry is not present;
- enqueueing the read completion transaction entry into the transaction order queue, if the read completion transaction entry is present;
- determining whether a delayed/split transaction entry is present, if the read completion transaction entry is not present; and
- enqueueing the delayed/split transaction entry into the transaction order queue.

Claim 6 recites, *inter alia*, a method of manufacturing a computer system comprising the act of providing logic to prioritize each of the plurality of transaction

entries according to a bus standard, wherein providing logic to prioritize comprises providing logic to:

- determine whether a posted write transaction entry is present;
- enqueue the posted write transaction entry into the transaction order queue, if the posted write transaction entry is present;
- determine whether a read completion transaction entry is present, if the posted write transaction entry is not present;
- enqueue the read completion transaction entry into the transaction order queue, if the read completion transaction entry is present;
- determine whether a delayed/split transaction entry is present, if the read completion transaction entry is not present; and
- enqueue the delayed/split transaction entry into the transaction order queue[.]

Claim 9 recites, *inter alia*, a system for providing multiple simultaneous transaction entries to a transaction order queue comprising means for prioritizing each of the plurality of transaction entries according to a bus standard, wherein means for prioritizing comprises:

- means for determining whether a posted write transaction entry is present;
- means for enqueueing the posted write transaction entry into the transaction order queue, if the posted write transaction entry is present;
- means for determining whether a read completion transaction entry is present, if the posted write transaction entry is not present;
- means for enqueueing the read completion transaction entry into the transaction order queue, if the read completion transaction entry is present;
- means for determining whether a delayed/split transaction entry is present, if the read completion transaction entry is not present; and
- means for enqueueing the delayed/split transaction entry into the transaction order queue[.]

Furthermore, as amended, claim 12 recites, *inter alia*, a system for providing multiple simultaneous transaction entries to a transaction order queue comprising logic

adapted for selecting and ordering the plurality of transaction entries in the transaction order queue according to a bus standard from the temporary memory storage for processing, wherein the transaction order queue comprises:

- a plurality of storage locations;
- logic adapted for determining whether a posted write transaction entry is present;
- logic adapted for enqueueing the posted write transaction entry into the transaction order queue, if the posted write transaction entry is present;
- logic adapted for determining whether a read completion transaction entry is present, if the posted write transaction entry is not present;
- logic adapted for enqueueing the read completion transaction entry into the transaction order queue, if the read completion transaction entry is present;
- logic adapted for determining whether a delayed/split transaction entry is present, if the read completion transaction entry is not present; and
- logic adapted for enqueueing the delayed/split transaction entry into the transaction order queue if the delayed/split transaction entry is present.

In light of the above described amendments to independent claims 1, 6, 9 and 12, the Examiner's rejection is believed to be moot. Based on the Examiner's indication of allowable subject matter, the Applicant asserts that the MacLaren reference fails to disclose the above all of the elements of the independent claims 1, 6, 9 and 12, as amended and therefore cannot anticipate claims 1, 6, 9 and 12. Accordingly, the Applicant respectfully requests the withdrawal of the rejection of independent claims 1, 6, 9 and 12, as well as the rejections of all claims depending therefrom.

*Claims rejected under the Olarig reference*

In the Office Action the Examiner rejected claims 22, 24-26, and 28-29 under 35 U.S.C. 102 (e) as being anticipated by Olarig (US 6175889). As discussed previously, the Examiner indicated that claims 23, 27 and 30 were objected to based on their dependency from a rejected independent claim, but would be allowable if rewritten in independent form. By this paper, the Applicant has amended independent claims 22, 25 and 28 to include the elements of claims 23, 27 and 30, respectively. In light of these amendments and the Examiner's indication of allowable subject matter, the Applicant believes that independent claims 22, 25 and 28 are in condition for allowance. As such, the Applicant requests withdrawal of the rejection of the independent claims 22, 25 and 28 as well as the rejection of all claims dependent therefrom.

**Allowable Subject Matter**

In the Office Action, the Examiner allowed claims 16-21. The Applicant thanks the Examiner for indicating these claims as being allowable.

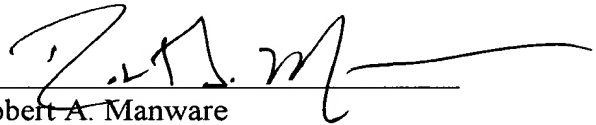
As noted above, the Examiner also indicated claims 23, 27, and 30 as allowable if rewritten in independent form, but objected to the claims based on their dependency from rejected claims. Therefore, the Applicant incorporated the elements of claim 23 into independent claim 22, the elements of claim 27 into independent claim 25 and the elements of claim 30 into independent claim 28. In light of these amendments, independent claims 22, 25 and 28 are in condition for allowance.

**Conclusion**

The Applicant respectfully submits that all pending claims should be in condition for allowance. However, if the Examiner if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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